

No. 5:24-cv-00595-BO-KS

ORDER

This matter comes before the Court on the memorandum and recommendation (“M&R”) of Magistrate Judge Kimberly Swank [DE 5]. The M&R recommends that Plaintiff’s application to proceed *in forma pauperis* be granted, and that his complaint be dismissed for frivolity [DE 5 at 1].

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (cleaned up) (emphasis omitted); *see also* 28 U.S.C. § 636(b)(1); Fed R. Civ. P. 72(b)(3). A party’s objections must be made “with sufficient specificity so as reasonably to alert the district court of the true ground for the objection.” *United States v. Midgette*, 478 F.3d 616, 622 (4th Cir. 2007). “[W]hen reviewing *pro se* objections to a magistrate’s recommendation, district courts must review de novo any articulated grounds to which the litigant appears to take issue.” *Elijah v. Dunbar*, 66 F.4th 454, 460–61 (4th Cir. 2023). Where no specific objections have been filed, the court reviews for clear error only. *Dunlap v. TM Trucking of the Carolinas, LLC*, 288 F. Supp. 3d 654, 662 (D.S.C. 2017). On clear error review, the court has no obligation to


explain its reasoning for adopting the recommendation. *Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983).

Plaintiff did not file objections to the M&R, and the Court is only required to review the filings and the M&R for clear error. The Court has done so, and found none.

CONCLUSION

Accordingly, the M&R [DE 5] is ADOPTED IN FULL. The Plaintiff's motion for leave to proceed *in forma pauperis* [DE 2] is GRANTED, and the complaint is DISMISSED for frivolity. The clerk is DIRECTED to close the case.

SO ORDERED, this 3 day of April 2025.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE